



The Informed Tenant and Landlord

Consumer Affairs Branch e-newsletter
Fairfax County Department of Cable and Consumer Services

2012 Special Edition

Inside This Issue:	
Renting in Fairfax County	1
Rental Programs	1
Lease Agreements	2
Security Deposits	2
Open Communication	2
Maintenance and Repair	3
Bed Bugs	4
Eviction	5
General District Court	5
Grill Safety Tips	6
Fair Housing	6

Consumer Central

- Tenant-Landlord Commission (TLC)
- File a Complaint
- Request a Tenant-Landlord Presentation
- Tenant-Landlord Handbook
- What Tenants and Landlords Need To Know (Española)
- Consumer Focus
- Low and Moderate Income Housing Guide
- Property Owners' and Condominium Associations
- Your Community, Your Call

Renting in Fairfax County

Fairfax County is a great place to live, work, explore, and entertain. With the 11th largest school division in the country, one of the largest library systems in the state, 24,000 acres of parkland, and a thriving business community, there is something for everyone.

Fairfax County offers a broad variety of housing for rent. You can choose from single-family homes, townhouses, condominiums, apartment communities in suburban settings, and high-rise apartments with an urban look and feel.

According to data from the [Fairfax County Rental Housing Complex Analysis](#), there were 66,327 rental complex apartments and townhouses in Fairfax County in January 2010. However, the total inventory of available rental units is much greater because this number does not include units leased by individual owners directly to tenants.

Why Rent?

Maintenance free living is at the top of the list for reasons why people choose to rent. Following are some other reasons:

- Flexibility to move or relocate
- No upkeep fees for repairs and maintenance
- Live in neighborhoods where purchasing a home is not affordable
- Amenities such as a fitness center, swimming pool, tennis court, club house, parking, playgrounds, picnic areas, and more



Rental Housing Programs in Fairfax County

Fairfax County offers the following rental housing programs:

[Public Housing Rental Program](#)

[Fairfax County Rental Program \(FCRP\)](#)

[Housing Choice Voucher Program](#)

[Senior Housing and Assisted Living Communities](#)

[Olley Glen Senior Residences](#)

Many programs use a set of criteria to select and qualify applicants for placement within the program. Please review each program for complete details.

Need Legal Advice?

Legal Services of
Northern Virginia

703-778-6800
866-534-5243

Virginia Lawyer Referral
Service

800-552-7977

Fairfax Lawyer Referral &
Information Service

703-246-3780

Coordinated Services Planning

Your connection to
services that help with
basic needs such as
housing, food, clothing,
and more.

(703) 222-0880

Save Money by Saving Energy

Whether you're renting an
apartment, townhouse,
condominium or single
family home, you can
save money.

[Energy Saving Tips
for Renters](#)

Tenant-Landlord Laws

The Virginia Residential
Landlord and Tenant Act
Chapter 13 - Landlord and
Tenant

The Fairfax County Code
Protecting Tenants in
Foreclosure Act
Virginia Maintenance Code

Tenants and landlords need to understand lease agreements, security deposits, and the importance of keeping open communication during good as well as difficult times during the rental relationship.

Residential Lease Agreements

The foundation of a good, solid rental relationship starts with the lease agreement. Not only does a lease agreement specify the period of time a landlord will allow a tenant to use a dwelling unit in return for payment of a set rent amount, but it also outlines the terms and conditions that apply throughout the rental. The tenant and landlord should agree with all of the terms before the landlord accepts rent money, and the tenant takes possession of the dwelling. Tenants and landlords need to be sure they understand and agree with all of the provisions of a lease and make a commitment to follow the agreement. Before you rent, review the [Lease Checklist](#) and get links to tenant-landlord laws.

Security Deposits

A security deposit is money required by the landlord to cover the cost of damages caused by the tenant or charges owed due to a breach of the lease agreement. When a landlord accepts a security deposit from a tenant, they must follow applicable laws and tenants must follow guidelines to protect the return of their security deposit. To avoid disagreements, tenants and landlords should have a signed move-in inspection report which outlines the condition of the dwelling when the tenant moved in. The security deposit is the tenant's money throughout the tenancy. If the tenant does not owe any rent, and leaves the unit in generally the same condition as when they moved in, the landlord should refund the deposit. Find out more about security deposits in [The Handbook for Tenants and Landlords](#), pages 41-45.

Open Communication

Be responsive—As a landlord, it is important to respond to all forms of communication from tenants in a timely manner. Check in with your tenants periodically and make sure they know how to contact you for routine maintenance or repairs as well as for emergencies.

Be responsible—Tenants should treat their dwelling as if they owned the home. This means regular cleaning and immediate reporting of any maintenance or repairs needs. If something is damaged, correct it right away. Small problems left unattended can cause large problems or costly or expensive repairs later.

Understand the Laws—Laws were established for the safety and welfare of tenants and landlords. Everyone has the right to a clean and sanitary rental property with working appliances and plumbing, electrical, and other systems in good working order. Landlords have the right to expect that a tenant will keep the residence in good condition.

Have Insurance—When the unexpected happens, both tenants and landlords need insurance. Read the [Renters Insurance Consumer Guide](#) to be sure you have the coverage you need in the event of a loss.

Need Advice? Ask an Investigator

Investigators are available Monday through Friday from 8:00 a.m. to 4:30 p.m. for walk-in assistance and advice. Call for Advice: 703-222-8435 TTY: 711 or submit a question via e-mail or online:
fairfaxcounty.gov/consumer

File A Complaint

If you have a problem that you are unable to resolve after first contacting your landlord, you may file a written complaint for voluntary mediation with Consumer Affairs [online](#) or call and a complaint form will be mailed to you.

Search Complaint History

Research the [complaint history](#) of a landlord before you rent.

Visit Us in South County

An investigator is available each Wednesday for advice at [Access Fairfax](#) in the South County Government Center.

8350 Richmond Highway,
Suite 125
Alexandria, VA 22309

In the Spotlight: [Consumer Focus](#)

Consumer Affairs Branch
12000 Government Center
Parkway
Suite 433
Fairfax, VA 22035
703-222-8435 TTY: 711
Fax: 703-324-3900
consumer@fairfaxcounty.gov

Who to Call for Maintenance and Repairs?

If you have a problem in your rental unit, contact the landlord or community manager first in writing. If you do not get the help you need, contact the county agency below that is responsible for addressing your issue.

Fairfax County Department of Code Compliance

www.fairfaxcounty.gov/code

703-324-1300 TTY 711

- No heat from October 15-May 1, or air conditioning from May 15-October 1
- No hot or cold running water, or no utilities
- Cooking or refrigeration appliances that are not in good or safe working order
- Electrical system hazards
- Inadequate light or ventilation
- Plumbing problems
- Doors or windows that are not in good condition
- Cracks or holes in exterior walls
- Roach, rat, mouse or other bug infestation that causes structural damage
- Unsafe walkways, stairways or steps
- Leaking water or flooding in the apartment that can cause mold growth
- Sewage backup inside the apartment
- Overflowing trash and garbage inside the dwelling
- Noise complaints regarding construction activity and equipment
- Unsafe bedrooms
- Junk and debris in yards
- Overcrowding or more than four unrelated people living in a dwelling
- Illegal multiple dwellings units
- Deteriorating or dangerous stairways, entrance ways, or breezeways
- Unpermitted construction or demolition

Fairfax County Health Department

www.fairfaxcounty.gov/hd/eh

703-246-2300 TTY 711

- Roach, rat, mouse or other infestation that causes illness
- Disease carrying insects such as mosquitoes and ticks
- Bed bugs
- Mold, radon, asbestos and lead paint information
- Overflowing trash and garbage outside the dwelling
- Public or community swimming pools

Fairfax County Consumer Affairs

www.fairfaxcounty.gov/consumer/tenant

703-222-8435 TTY 711

- Information about the rights and responsibilities of tenants and landlords
- Disputes between a tenant and landlord regarding a problem in the rental unit.
- Tenants facing foreclosure
- Education, outreach, and publications about tenant-landlord matters
- Tenant-Landlord Commission

Bed Bugs: They're Here!

Made famous by the phrase, “sleep tight, don’t let the bed bugs bite” these bugs are back in action. Although they aren’t at the top of the list of unwanted bugs that invade our living areas, they are quickly rising in notoriety. The first line of defense against bed bugs is to be aware of what they are, and what you can do to avoid letting bed bugs into your home.



To get the message out, The Fairfax County Tenant-Landlord Commission, in partnership with the Department of Cable and Consumer Services, and the Fairfax County Health Department, present a fact filled informational *Consumer Focus* program on Channel 16 about *Bed Bugs*. You can watch [*Consumer Focus*](#) on your computer or anytime with [Video on Demand](#). To take the bite out of bed bugs, here are some essential tips:

ASK QUESTIONS

If you suspect bed bugs or have bed bugs, notify your landlord or property management company if you live in a rental property or contact a pest control professional for your home. Follow all instructions and requirements for treatment and don’t let up until the infestation is eliminated.

DON’T TRY HOME REMEDIES

Store brought sprays or oils advertised on the Internet or available in retail stores may actually cause bed bugs to spread or create a hazardous situation. Hire a licensed, qualified pest control professional. Contact the Virginia Department of Agriculture and Consumer Services [Office of Pesticide Services](#) for licensing and certification requirements for pest control professionals.

DON’T PASS ON AN INFESTATION

Never place infested items in hallways or other common areas where you live. If you need to throw something away, mark it up or put a label on the items that says “BED BUGS” so it won’t be tempting for someone to take.

DON’T MOVE

If your apartment or home is being treated for bed bugs, don’t move until the treatment is completed. If you do, you might spread bed bugs and start the infestation cycle all over again.

TALK ABOUT IT

Find out as much as you can about bed bugs. Make sure everyone in your home is aware of bed bugs so they know how to avoid and prevent them from moving into your home. Everything you need to know about Bed Bugs is available from the [Fairfax County Health Department](#).

LEARN MORE

The Environmental Health Section of the Fairfax County Health Department provides information and education about Bed Bugs. Contact the [Environmental Health Ambassadors](#) program to schedule a presentation or call 703-246.2205.

BE ALERT

Make sure you know what might be sleeping in your mattress. From time to time, check all sleeping areas for signs of bed bugs. Avoid renting furniture and carefully inspect all used furniture before bringing it into your home. When traveling and after traveling, inspect all of your belongings to make sure bed bugs don’t hitch a ride into your home.

By being alert, proactive, and knowing when to get professional pest management services, we can all be part of the solution, not the problem in dealing with the little bugs that create a big problem.

What is an Eviction?

- An eviction is the court action used by a landlord to remove a tenant from a rental unit.
- This process allows a landlord to receive a court judgment directing the tenant to leave the property and pay all rent, damages, and court costs ordered by the court.
- It is in the best interest of both the tenant and landlord to come to an agreement to avoid the cost, inconvenience, and time involved in the court process.
- An eviction can jeopardize a tenant's ability to secure future housing and will impact their rental history, future rental references, and credit history.
- All evictions require a court hearing and an order signed by a Judge of the Fairfax County General District Court.
- The steps a landlord must take in the eviction process are available from the Fairfax County Sheriff's Office: <http://www.fairfaxcounty.gov/sheriff/eviction.htm#>.
- The Summons for Unlawful Detainer form is available at <http://www.courts.state.va.us>.
- Landlords should consult with an attorney for clarification of their legal rights and responsibilities.

Reasons for Eviction

When a tenant fails or refuses to correct a breach of the lease agreement, a landlord should initiate court action to regain possession of the premises, unpaid rent, and damages resulting from the breach of the lease.

The most common grounds for eviction are:

- Nonpayment of rent by the tenant.
- Breach of the lease, such as unauthorized pets, noise, excessive damage, or alterations to the premises.
- Illegal activity by the tenant, authorized occupants, or the tenant's guests.
- Too many occupants or overcrowding.
- Holding over after the lease term has ended.
- Abandonment of the premises.

Tenant Rights

A landlord cannot remove a tenant or their personal belongings or lock-out the tenant without a court order, or force an eviction by deliberately cutting off essential services like hot and cold running water or utilities.

If a landlord attempts to carry out an illegal eviction, a tenant should:

- Call the Fairfax County Police non-emergency number at 703-691-2131.
- If the illegal eviction occurs on week days between 8:00 a.m. and 4:00 p.m., call Consumer Affairs.
- A tenant may file for injunctive relief in the Fairfax County General District Court to stop the eviction and sue for damages.

Fairfax County General District Court

Tenant-landlord cases are usually scheduled for hearings on Fridays at 9:30 a.m. in the Civil Division of the Fairfax County General District Court. It is very important that landlords comply with the law when filing an unlawful detainer action. Information about court is available at 703-246-3012, or www.fairfaxcounty.gov/courts/gendist.

If you need more information about your specific circumstances, consult with an attorney for guidance.

Tenant Tips from the Fire Marshal: Grill, Eat & Be Safe

It's that time of year when the smell of barbecue, hot dogs, and hamburgers fill the air. Now that grilling season is in full force, the Fairfax County Fire and Rescue Department wants you to practice fire safety when cooking or grilling outside.

According to the U.S. Fire Administration, grill fires cause an estimated average of 10 deaths, 100 injuries, and \$37 million in property loss each year nationwide. Grills, hibachis, and barbeques on residential properties continue to be a high fire risk and, on average, result in more injuries and slightly higher dollar losses when compared to all other fires.

The following are tips to keep you, your family, and friends safe.



Grill Safety Tips:

- **Never** use a grill on apartment or condominium balconies. This practice poses one of the biggest dangers with grills. It is unsafe and against the law.
- Grills should be placed at least 15 feet from any home, building, or combustibles to ensure adequate air circulation. Check with your landlord for other restrictions or requirements.
- Charcoal must be kept dry. Wet charcoal can spontaneously ignite. Spare propane bottles should be stored outside away from the home. A backyard shed is a good place.
- Keep children and pets away from the grill. Grills continue to give off heat long after cooking has stopped.
- **Never** place hot ashes in paper or plastic bags or containers. Only use metal containers for hot ashes.
- Use Underwriters Laboratories (UL) approved electrical starters in place of lighter fluid.

For more information, contact Daniel L. Schmidt, Fairfax County Fire and Rescue Department, 703-246-3801, TTY 711 or visit <http://www.fairfaxcounty.gov/fr/prevention/fmaboutus.htm>.

Fair Housing is Everyone's Right

Understanding your rights under fair housing laws, and knowing how to conduct business and manage properties in a non-discriminatory manner is essential in keeping Fairfax communities and neighborhoods healthy and a place everyone wants to live.

In Fairfax County, it is unlawful to discriminate in the rental of housing because of Race, Color, National Origin, Sex, Marital Status, Religion, Elderliness, Disability, or Familial Status.

The [Human Rights Division of the Fairfax County Office of Human Rights and Equity Programs](#) can assist if you feel you have been treated unfairly in housing, or if you need more information about housing or related services for your business, organization, homeowners' or condominium association located in Fairfax County.

If you would like to have a representative from the Human Rights Division present a seminar about Fair Housing laws, contact Margaret Squires, Fair Housing Coordinator at 703-324-2953 or margaret.squires@fairfaxcounty.gov.

For more information, visit the Human Rights Commission web site: <http://www.fairfaxcounty.gov/ohrep/hrd/>